

## **PART I. ZOO & MENAGERIE LICENSE APPLICATION**

### **ENVIRONMENTAL ASSESSMENT CHECKLIST**

**1. Name of Project:** Picture Perfect Zoo & Menagerie

**Application Date:** 8/22/97

**2. Name, Address and Phone Number of Applicant(s):**

Nikki & Brad Morgan  
1260 Ludwig Lane  
Bozeman, MT 59715  
(406)388-0008

**3. If Applicable:**

**Estimated Construction/Commencement Date:**

**Estimated Completion Date:**

**Is this an application for expansion of existing facility or is a future expansion contemplated?** No

**4. Location Affected by Proposed Action (county, range and township):**

Gallatin County, Section 22, T1S R4E

**5. Project Size:** Estimate the number of acres that would be directly affected that are currently:

(a) Developed:

residential

1.5 acres

industrial

\_\_\_ acres

(b) Open Space/Woodlands/Areas \_\_\_ acres

(c) Wetlands/Riparian Areas \_\_\_ acres

(d) Floodplain

\_\_\_ acres

(e) Productive:

irrigated cropland

\_\_\_ acres

dry cropland

\_\_\_ acres

forestry

\_\_\_ acres

rangeland

2.5 acres

other

\_\_\_ acres

**6. Map/site plan:** attach a copy of the map submitted with the application (an 8 ½" x 11" or larger section of the most recent USGS 7.5' series topographic map) showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.

See Attachments

**7. Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action:**

Applicant is applying for a Zoo & Menagerie license to raise animals primarily for the purpose of photography. Animals will be housed in cages.

The animals to be housed at the zoo include: 2 red foxes, 2 raccoons, 2 skunks, 1 bear, 2 lynx, 2 bobcats, 1 lion and 1 otter.

The area where the project is to be located is a residential area which is sparsely populated due to large (approximately 20 acres) lot sizes. It is under the jurisdiction of the City of Belgrade within 3 miles of the city limits. The area is unzoned.

**8. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction:**

**(a) Permits:**

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
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N/A

**(b) Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
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N/A

**(c) Other Overlapping or Additional Jurisdictional Responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
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None

**9. List of Agencies Consulted During Preparation of the EA:**

Belgrade City Zoning Office

## **PART II. ENVIRONMENTAL REVIEW**

### **1. Evaluation of the Impacts of the Proposed Action Including Secondary and Cumulative Impacts on the Physical and Human Environment:**

#### **PHYSICAL ENVIRONMENT**

1. <u>LAND RESOURCES</u>  Will the proposed action result in:	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?		X				
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact

COMMENTS:

#### **PHYSICAL ENVIRONMENT**

2. <u>AIR</u>  Will the proposed action result in:	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
a. Emission of air pollutants or deterioration of ambient air quality?		X				
b. Creation of objectionable odors?			X			
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact

COMMENTS: 2(b). Minor temporary odors may occur in pens. The use of concrete floors and regular cleaning will minimize this problem.

## PHYSICAL ENVIRONMENT

3. <u>WATER</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action result in:						
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Violation of the Montana non-degradation statute?		X				
j. Effects on any existing water right or reservation?		X				
k. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
l. Effects on other water users as a result of any alteration in surface or groundwater quantity?		X				
m. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact

COMMENTS:

**PHYSICAL ENVIRONMENT**

4. <u>VEGETATION</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action result in:						
a. Changes in the diversity, productivity or abundance of plant species?		X				
b. Alteration of a plant community?			X			
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				
f. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Vegetation Resources (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact

COMMENTS: 4(b). Immediately under small cages vegetation would die.

**PHYSICAL ENVIRONMENT**

5. <u>FISH/WILDLIFE</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?			X			
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Fish/Wildlife Resources (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact

COMMENTS: 5(d). All of the proposed species are found in the general vicinity or nearby mountainous areas.

**PROVIDE NARRATIVE DESCRIPTION FOR THE FOLLOWING:**

**A. Wildlife use of the area and potential for through-the-fence contact with zoo animals (consider year-around use, traditional seasonal habitat use, and location of travel routes and migration corridors).**

There is some potential for through the fence nose to nose contact with wild animals of the same species. This contact will be minimized by several factors. The zoo & menagerie is in close proximity to an occupied home. A dog is frequently in the yard. Family activity, noise and lights will also discourage visiting wildlife.

In addition, a large pen full of wolves is located near the enclosures.

All of these factors will combine to minimize contact with wild animals.

**B. Potential for escape of zoo animals or ingress of wildlife (consider site-specific factors that could reduce the effectiveness of perimeter fences built to standards outlined in Rule 12.6.1503A, including steepness of terrain, winter snow depths/drifts, susceptibility of fences to flood damage, etc.).**

All of the animals included on the Zoo & Menagerie application are carnivores. As such they are required by law to be housed in cages which completely enclose them. All doors must be double-locked. Cages shall be inspected for soundness prior to the issuance of the permit.

The only serious threat of escape, therefore, could occur through failure of the operator to close doors. This threat should be minimal.

**Proportion (%) of the total habitat area currently used by wildlife that will be enclosed or otherwise impacted.**

0%

**HUMAN ENVIRONMENT**

6. <u>NOISE EFFECTS</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action result in:						
a. Increases in existing noise levels?		X				
b. Exposure of people to severe or nuisance noise levels?		X				
c. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects of Noise Resources (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impacts.

COMMENTS:

**HUMAN ENVIRONMENT**

7. <u>LAND USE</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action result in:						
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Conflict with any existing land use that would be adversely affected by the proposed action?		X				
e. Adverse effects on or relocation of residences?		X				
f. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Use (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impacts.

COMMENTS:

## HUMAN ENVIRONMENT

8. <u>RISK/HEALTH HAZARDS</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action result in:						
a. Risk of dispersal of hazardous substances (including, but not limited to chemicals, pathogens, or radiation) in the event of an accident or other forms of disruption?		X				
b. Creation of any hazard or potential hazard to domestic livestock?			X			
c. Creation of any hazard or potential hazard to human health?			X			
d. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Risk/Health Hazards Resources (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact.

COMMENTS: 8(b & c). There is a small possibility of escape of the bear or lion. This could include a theoretical threat to humans or livestock in the area. It should be noted that game farm carnivores are generally acclimated to humans and are, therefore, much less of a threat than their wild counterparts which currently exist in the area.

There is also a possibility that local neighbors, particularly, children, may be drawn to the cages out of curiosity. To minimize this risk cages will be double fenced with warning signs on the exterior fence.

All cage doors will be locked at all times except during feeding, cleaning, or maintenance.

## HUMAN ENVIRONMENT

9. <u>COMMUNITY IMPACT</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action result in:						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Changes in historic or traditional recreational use of an area?		X				
f. Changes in existing public benefits provided by affected wildlife populations and wildlife habitats (educational, cultural or historic)?		X				
g. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
h. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Community Resources (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact.

COMMENTS:



**HUMAN ENVIRONMENT**

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action result in:						
a. A need for new or altered government services (specifically an increased regulatory role for FWP and Dept. of Livestock)?			X			
b. A change in the local or state tax base and revenues?		X				
c. A need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Public Services/Taxes/Utilities (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact.

COMMENTS: 10(a). This proposal activity would require an occasional inspection on the part of FWP.

**HUMAN ENVIRONMENT**

11. <u>AESTHETICS/RECREATION</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings?		X				
d. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Aesthetics/Recreation Resources (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact

COMMENTS:

**HUMAN ENVIRONMENT**

12. <u>CULTURAL/HISTORICAL RESOURCES</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action result in:						
a. Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects on Cultural/Historical Resources (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact.

COMMENTS:

**HUMAN ENVIRONMENT**

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>	POTENTIAL IMPACT				CAN IMPACT BE MITIGATED	COMMENT INDEX
	UNKNOWN	NONE	MINOR	SIGNIFICANT		
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?			X			
c. Potentially conflict with the substantive requirements or any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
e. Other: _____						

Narrative description of minor and potentially significant impacts must be provided. Narrative Description and Evaluation of the Cumulative and Secondary Effects (Attach additional pages of narrative if needed):

PROPOSED ACTION:

NO ACTION: No Impact

COMMENTS: 13(b). Whenever large carnivores are kept in captivity there is a certain risk to the people handling the animals. Game farm animals are captive raised and have lost most of the aggressiveness usually associated with their wild counterparts. Competent handlers seldom have a problem with them. Under the terms of this permit the permittee shall be authorized to take the animals off premises for brief periods for photographic purposes.

## **PART II. ENVIRONMENTAL REVIEW (Continued)**

### **2. SUMMARY EVALUATION OF SIGNIFICANCE CRITERIA**

**a. Does the proposed action have impacts that are individually minor, but cumulatively considerable? (A project may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)**

No

**b. Does the proposed action involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?**

Whenever large carnivores are kept in captivity there is a certain risk to the people handling the animals. Game farm animals are captive raised and have generally lost most of the aggressiveness usually associated with their wild counterparts. Competent handlers seldom have a problem with them.

Under the terms of this permit the permittee shall be authorized to take the animals off premises for brief periods for photographic purposes.

There is potential for injury to handlers while the animals are uncaged during photo sessions to minimize this risk the following conditions will be implemented.

1. Liability insurance, naming the Department as an additional insured party, in the amount of \$1,000,000 must be provided and kept in effect as long as the animals are possessed. The policy shall cover the animals on or off premises and the animals are not to be taken to any area where the policy is not in effect. A copy of the policy shall be provided to the Department with the annual license renewal application.
2. The animals must be caged at all times, including during transport, unless they are being worked with. The animals may be removed from their cages for brief periods of training or professional photographic purposes only. During these periods they must be under the direct control of qualified handlers.
3. Any time the animals are taken off the premises and worked outside of a cage, a firearm or tranquilizer gun will be ready and available in the event the animals become violent. The owners are responsible for maintaining the appropriate types and suitable quantities of usable tranquilizing drugs.
4. A log shall be kept detailing each date and at what location the animals are taken off premises. The log shall be available for inspection at any reasonable time.
5. Any time one of the animals becomes violent, attacks someone, becomes uncontrollable, exhibits any serious aggressive behavior, or escapes it shall be reported immediately to the local game warden or Regional Headquarters.
6. The Department may revoke permission to use the animals outside of cages any time it believes that public safety may be threatened.
7. Failure to comply with the terms of these conditions or other state laws or regulations regarding zoos and menageries shall, in addition to any criminal penalties, be grounds for the revocation of this permit.
8. This permit shall be valid only when the applicant is in compliance with federal regulations regarding the possession of the animals.

**3. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:**

No action alternative - This would consist of denying the application. State law (Section 87-4-803) authorizes the state to issue these permits to qualified applicants. The permits may only be denied for reasonable cause.

**4. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

The Department shall enforce the laws and rules found in M.C.A. 87-4-801 through 87-4-808 and A.R.M. 12.1.1301 through 12.6.1309. In addition, the attached list of conditions shall accompany the permit.

### **PART III. NARRATIVE EVALUATION AND COMMENT**

The proposed project involves placing animals in small cages in an open field. It will have minimal environmental impact.

## **PART IV. EA CONCLUSION**

**1. Based on the significance criteria evaluated in this EA, is an EIS required? YES / NO**

No

**If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:**

This project consists of housing a small number of animals in relatively small cages. The impact on the environment will be minimal.

**2. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances? (At a minimum, all EAs must be MADE available to the public through the State Bulletin Board System.)**

EA will be noticed in the Bozeman Daily Chronicle and State Bulletin Board. Copies of the EA have been sent to adjacent landowners. Comments will be accepted for 15 days following the notice until 5:00 p.m November 4, 1997.

**3. Duration of comment period if any: 15 Days**

**4. Name, title, address and phone number of the Person(s) Responsible for Preparing the EA:**

Harry Whitney - Wildlife Research Specialist  
Jim Heck - Game Warden  
1400 So. 19th  
Bozeman, MT 59718  
(406) 994-4042

## Conditions of Permit

1. All cage doors shall include double locking systems and shall remain locked at all times.
2. All cages shall be surrounded by a secondary fence of woven wire, wood, chainlink or similar material. The fence shall be a minimum of 4 feet in height and include a locked gate.
3. Any time the animals are taken off the premises and worked outside of a cage, a firearm or tranquilizer gun shall be ready and available in the event the animals become violent. The owners are responsible for maintaining the appropriate types and suitable quantities of usable tranquilizing drugs.
4. A log shall be kept detailing each date and at what location the animals are taken off premises. The log shall be available for inspection at any reasonable time.
5. Any time one of the animals becomes violent, attacks someone, becomes uncontrollable, exhibits any serious aggressive behavior, or escapes it shall be reported immediately to the local game warden or Regional Headquarters.
6. The Department may revoke permission to use the animals outside of cages any time it believes that public safety may be threatened.
7. Failure to comply with the terms of these conditions or other state laws or regulations regarding zoos and menageries shall, in addition to any criminal penalties, be ground for the revocation of this permit.
8. This permit shall be valid only when the applicant is in compliance with federal regulations regarding the possession of the animals.
9. Liability insurance, naming the Department as an additional insured party, in the amount of \$1,000,000 must be provided and kept in effect as long as the animals are possessed. The policy shall cover the animals on or off premises and the animals are not to be taken to any area where the policy is not in effect. A copy of the policy shall be provided to the Department with the annual license renewal application.
10. The animals shall be caged at all times, including during transport, unless they are being worked with. The animals may be removed from their cages for brief periods of training or professional photographic purposes only. During these periods they must be under the direct control of qualified handlers.

